

REMARKS

Claims 17-51 are pending.

In the outstanding Office Action Claims 17, 23, and 30 were rejected on obviousness-type double patenting grounds over U.S. Patent No. 6,374,406; and Claims 7-51 were rejected as being obvious over Blake (U.S. Patent Publication 2003/0031465) in view of Abraham (U.S. Patent No. 4,567,512).

In reply, a Terminal Disclaimer is filed herewith, disclaiming any portion of patent term for a patent that issues from the present application that would extend beyond the patent term entitled to U.S. Patent No. 6,374,406. The filing of the present Terminal Disclaimer, is believed to overcome the double patenting rejection.

With regard to the obviousness rejection, Applicants respectfully traverse the rejection.

Claim 17 for example, is directed to a reception device that among other things, includes means for controlling the recording module based on a text-based control command extracted by the means for extracting. The means for controlling has a timer reservation function, and the means for controlling reserves an operation time of the record module.

The outstanding Office Action asserts that Blake discloses all of the features of Claim 17 except for the timer reservation function of the recording module. In order to cure this deficiency, the Office Action asserts Abraham.

Abraham is directed to a system that relies on a library computer that is interfaced to a subscriber command unit by way of a telephone line. Channel and time information relating to one of the programs stored in the library are transmitted from the library to the subscriber command unit (column 3, lines 10-17). Moreover, the library computer transmits program time, channel and scrambling code information to the subscriber command unit for storage so that the subscriber command unit may play that information when the library computer is

scheduled to transmit it (column 3, lines 25-29). It is the library computer that transmits through the telephone line the computer generated instruction data that includes the program start time, end time, and program transmission channel sequence (column 7, lines 54-58). This subscriber merely enters the selection data obtained from a printed program guide and based on that printed program guide, the subscriber selects one of the available time segments for the selected program and enters the starting time by depressing one of the push buttons contained thereon (column 7, lines 24-34).

Abraham discusses nothing about the use of the program start and end times used for recording of the program. Rather the subscriber unit is for entering the starting time to select the transmission of a particular program from the library computer. The subscriber unit merely allows for the reception of a transmission from the library computer at the program start time and until the end of the program.

Nowhere does Abraham discuss the use of a recording module and a means for controlling the recording module that includes a timer reservation function or a means for controlling that reserves an operation time of the recording module. Rather, Abraham operates on a completely different principle of using a subscriber module to inform a library computer about its interest in receiving a broadcast from the library computer according to preprogram start and end times previously published on a printed program guide. Moreover, Abraham simply does not have the timer reservation function of the recording module, as claimed.

Consequently, as neither Blake nor Abraham teach or suggest the means for controlling and timer reservation function as claimed in Claim 17, it is respectfully submitted that the Office Action fails to make a *prima facie* case of obviousness. As such it is believed that Claim 17 patentably defines over the asserted prior art. Although of differing statutory class and/or scope, it is respectfully submitted that each of the other Claims 18-51 patentably

define over Blake in view of Abraham for substantially the same reasons discussed above with regard to Abraham.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that Claims 17-51 patentably defines over the asserted prior art. The present application is therefore believed to be in condition for formal allowance.

Respectfully submitted,

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